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**UTILITY PATENT  
APPLICATION  
TRANSMITTAL**

*(Only for nonprovisional  
applications under 37 CFR 1.53(b))*

**PATENT**

Attorney Docket No. A34535-A-PCT-USA-A (070050.1866)  
First Named Inventor Paul B. Fisher  
Customer No. 21003  
Total Pages: 59

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09/991452  
11/21/01

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November 21, 2001

**Box: Patent Application**  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, Virginia 22202

Sir:

Enclosed herewith for filing is a patent application of Paul B. Fisher entitled “USE OF A  
MELANOMA DIFFERENTIATION ASSOCIATED GENE (mda-7) FOR REVERSING A  
CANCEROUS PHENOTYPE” which includes:

- [X] Specification 40 Total Pages  
[X] Background of the Invention; Summary  
of the Invention; Brief Description of  
the Figures; Detailed Description of the  
Invention; Experiments and Examples 29 pages  
[X] Claims 1 pages  
[X] Abstract 1 page  
[X] Drawings 6 sheets  
[X] formal Figs. 1-6  
[ ] informal  
[X] Combined Declaration and Power of Attorney 3 pages  
[ ] Newly executed (original or copy)  
[X] Copy from a prior application Serial No. 09/251,124

[X] If a continuing application, check appropriate box:  
[X] Continuation [ ] Divisional [ ] Continuation-In-Part  
of prior application Serial No. 09/251,124, filed February 16, 1999, which is a divisional  
application of International Patent Application PCT/US97/14548, filed August 15, 1997, which is  
a continuation-in-part of U.S. Patent Application No. 08/696,753, filed June 16, 1996, now U.S.  
Patent No. 5,710,137.

[X] Amend the specification by inserting, before the first line, the following sentence:

"This is a ☒ continuation ☐ divisional ☐ continuation-in-part of prior application Serial No. 09/251,124, filed February 16, 1999, which is a divisional application of International Patent Application PCT/US97/14548, filed August 15, 1997, which is a continuation-in-part of U.S. Patent Application No. 08/696,753, filed June 16, 1996, now U.S. Patent No. 5,710,137."

[X] The entire disclosures of the prior applications are considered as being part of the disclosure of the accompanying application and are hereby incorporated by reference therein.

[X] An Assignment of the invention to The Trustees of Columbia University in the City of New York  
 [ ] is attached. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  
 [ ] will follow.

[X] has been filed in prior application Serial No. 09/251,124 and recorded at Reel 009999 Frames 0969-0971 on June 7, 1999.

**[X] Small Entity Statement(s)**

[ ] is/are attached.

☒ Small Entity Statement filed in prior application. Status still proper and desired.

[ ] will follow.

## **[ ] Information Disclosure Statement**

\_\_ pages

[ ] PTO Form 1449.

pages

☐ Copy of newly cited IDS Citation is enclosed.

pages

☐ Copies of previously considered IDS Citations are not required.

Also accompanying this patent application are:

[ ] Application Data Sheet

☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

☐ Nucleotide and/or Amino Acid Sequence Submission

[X] Preliminary Amendment

3 pages

☐ Non-Publication Request

[X]Return Receipt Postcard

☒ [X] Other: Sequence Listing/Declaration (including 2 copies)

7 pages

☒ The filing fee has been calculated as shown below:

FOR	(Col. 1) <u>No. Filed</u>			(Col. 2) <u>No. Extra</u>			Small Entity		Other Than A <u>Small Entity</u>		
							<u>Rate</u>	<u>Fee</u>	OR	<u>Rate</u>	<u>Fee</u>
Basic Fee							\$370.00			\$0.00	
Total Claims	3	-20	=	0	x	9 =	\$0.00		x	18 =	\$0.00
Ind. Claims	3	-3	=	0	x	42 =	\$0.00		x	84 =	\$0.00
Multiple Dependent Claim						+ 140 =	\$0.00		+	280 =	\$0.00
						Total	\$370.00				\$0.00

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Fee Payment:

☒ Enclosed

☒ Basic filing fee \$370.00

☐ Recording Assignment \$0.00  
[\$40.00; 37 CFR 1.21(h)]

Total Fees Enclosed \$370.00

☒ A check in the amount of \$370.00 to cover filing fee is enclosed.

☐ Please charge our Deposit Account No. 02.4377 in the amount of \_\_\_\_\_. Two copies of this sheet are enclosed.

Foreign Priority:

☐ Priority is claimed of application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

☐ Submission of Priority Document Certified Copy of priority document(s) of Appln No. \_\_\_\_\_, filed \_\_\_\_\_.

☐ has been filed in the parent application S/N \_\_\_\_\_.

☐ is/are attached.

☐ will follow.

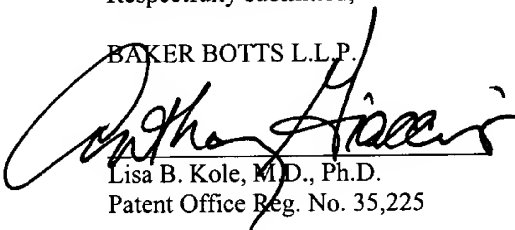
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR §§ 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

☒ The Commissioner is conditionally authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

  
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Enclosures

NY02:357352.1